



April 8, 2022

AGENDA FOR ZONING BOARD OF APPEALS

PLEASE TAKE NOTICE:

THE CITY OF YONKERS ZONING BOARD OF APPEALS MEETING SCHEDULED FOR TUESDAY, APRIL 19, 2022 AT 6:00 PM, WILL BE HELD IN THE AUDITORIUM at SAUNDERS HIGH SCHOOL (183 Palmer Road, Yonkers, NY 10701).

PLEASE BE SURE TO CHECK OUR WEBSITE FOR INFORMATION AND UPDATES WWW.YONKERSNY.GOV.

CURRENT CDC GUIDELINES SHALL CONTINUE TO BE OBSERVED REGARDING ATTENDANCE BY THE PUBLIC.

DECISIONS

5760 – Area Variance – Jacob E. Amir, Esq., on behalf of Dagro Associates II LLC, owner, on premises known as **165 North Broadway**, Block: 2094, Lot: 25, Zone: BA (B23338)

5772 – Area Variance – Andrew Romano, Esq., on behalf of Joseph Weiburg, owner, on premises known as **453 Bronxville Road**, Block: 5603, Lot: 7, Zone: S-60 (A206)

5774 – Area Variance – Steven A. Accinelli, Esq., on behalf of NOAM ONE LLC, owner, on premises known as **57 Locust Hill Avenue**, Block: 2020, Lot: 1, Zone: A (B28896)

5776 – Area Variance – Jeffrey M. Gaspar P.E., on behalf of Jose David Cortez, owner, on premises known as **161 Bennett Avenue**, Block: 5032, Lot: 69.70, Zone: T (B21281)

5777 – Improvement to a Non-Conforming Use – Anthony M. Monaco, P.E., on behalf of Oak Hill Condominium, owner, on premises known as **128 aka 130 Colonial Parkway**, Block: 4541, Lot: 40.45, Zone: S-200 (B24506)

OPEN CONTINUED HEARINGS

5727A – Area Variance – Andrew Maniglia of Ginsburg Development, on behalf of Pier LLC 70, owner, on premises known as **70 Pier Street**, Block: 146, Lot: 1.4, Zone: M (B24085)

5769 – Improvement and Intensification to a Non-Conforming Use & Area Variance – James G. Dibbini, Esq., on behalf of Ghassem Khorassani, owner, on premises known as **527 aka 531 Van Cortlandt Park Avenue**, Block: 39, Lot: 59.60, Zone: A (B22793)

5775 – Area Variance – Shahin Badaly, P.E., on behalf of Hudson Walk LLC, owner, on premises known as **409 Warburton Avenue**, Block: 2121, Lot: 15, Zone: M (B29215)

NEW HEARINGS

5778 – Intensification of a Non-Conforming Use – James G. Dibbini, Esq., on behalf of Ryan McCormack, owner, to replace two car garage with three car garage, whereas:

- *A non-conforming use shall not be enlarged, intensified, altered, structurally or extended without Zoning Board of Appeals approval (Reference Section 43-21.B.1 and 43-21.B.2). (new 3 car garage to replace exist 2 car garage);*
- *Reconstruction of structure used by a non-conforming use requires Zoning Board of Appeals approval (Reference Section 43-21.B.1 & 43-21.B.2);*

on premises known as **110 Sherwood Avenue**, Block: 6360, Lot: 7.9, Zone: S-50 (B29540)

5779 – Area Variance – Andrew Romano, Esq., on behalf of McIntrye St Realty LLC, owner, to construct a new two family dwelling, whereas:

- *Variance required for Lot Area: min 5000 sq. ft. permitted/4802 proposed. (COY Zoning Code, Table 43-3);*
- *Variance required for Building Height: 2.5 permitted/3 stories proposed. (COY Zoning Code, Table 43-3);*
- *Variance required for Rear Yard setback: 25 ft. permitted/13 ft. proposed. (COY Zoning Code, Table 43-3);*
- *Variance required for Average Lot Area per family: 2500 sq. ft. permitted/2401 sq. ft. proposed. (COY Zoning Code, Table 43-3);*
- *Variance required for Side Setback plane: 20 ft. permitted/21.5 ft. proposed. (COY Zoning Code Section 43-34.H(1));*

on premises known as **850 Tuckahoe Road**, Block: 5673, Lot: 76, Zone: MG (B29075)

5780 – Area Variance – Andrew Romano, Esq., on behalf of John Pilenza, owner, to construct a new one family dwelling, having:

- *Insufficient lot width, Section 43-27, Table 43-3 (required 75 ft., proposed 70.03 ft.);*

on premises known as **23 Ardell Road**, Block: 5277, Lot: 8, Zone: S-75 (B28147)

5781 – Area Variance – James G. Dibbini, Esq., on behalf of 12 Seymour LLC, owner, to convert two first floor stores into two apartments, having:

- *Insufficient lot area per family, Section 43-27, Table 43-3, (required 800 sq. ft., proposed 312.5 sq. ft.);*
- *Insufficient parking, Section 43-128 and Table 43-4, (required 3 spaces, proposed 0, no credit from non-conforming stores in M Zone);*

on premises known as **12 Seymour Street**, Block: 2062, Lot: 6, Zone: M (B28990)

5782 – Use Variance – Stephen A. Veneruso, Esq., on behalf of Stein Yeshiva of Lincoln Park, owner, for improvements and installation of safety elements to designated early learning daycare classroom, whereas:

- *proposed use not permitted, Section 43-27, Table 43-1 (Daycare Center in S-50 zone);*

on premises known as **287 Central Park Avenue**, Block: 6030, Lot: 77, Zone: S-50 (B29072)

5783 – Non-Conforming Use – Stephen A. Veneruso, Esq., on behalf of 155 Warburton Ave Realty LLC, owner, for conversion of a building to a two family residence, whereas:

- *change of use of a vacant building to a non-conforming in a CM zone requires a zoning variance;*

on premises known as **155 Warburton Avenue**, Block: 2099, Lot: 13, Zone: CM (B24278)

OFF AGENDA ITEMS

#5720	919 Nepperhan Avenue	Extension Request
#5657	35 Vark Street	Extension Request
#5735	631 Yonkers Avenue aka 41 Alida Street	Extension Request
#5154	1025 aka 999 Central Pk Ave	Extension Request
#5607	72 Alexander Street	Extension Request

**JOSEPH CIANCIULLI
CHAIRMAN, ZBA**